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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION SUBCOMMITTEE TO REVIEW STATUTE REVISIONS
MEETING DATE AND TIME:	Tuesday, July 20, 2010 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Public Service Commission Hearing Room First floor of the Cannon Building
MINUTES APPROVED:	August 19, 2010

MEMBERS PRESENT

Christopher J. Whitfield
Ricky H. Allamong
Andy Staton
Vincent White
Larry Tims

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Heeney, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

ALSO PRESENT

Andy Taylor
Charlotte Herbert

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:07 a.m.

REVIEW OF MINUTES

The Subcommittee reviewed the minutes from the June 15, 2010 meeting. A motion was made by Mr. Allamong, seconded by Mr. Staton to approve the minutes. The motion passed unanimously.

REVIEW OF PROPOSED STATUTE REVISIONS

A discussion was held regarding the proposed revisions to the statute.

Section 2902 (a)(1) – Mr. Allamong asked about adding “self” referring to a licensee. It was decided to clarify this in the exemption paragraph in 2901 (f)(1). The following will be added “however, a licensee shall not be exempt from this subsection.” It was also decided to add “buyer or lessee” after lessor and “purchased” after owned.

Section 2902 (a)(10) – “Appointed by the broker” was added after licensee and “or client” was added after customer. (a)(16) – “Non-owner occupied properties” was changed to “real property”. (a)(18) – “Licensee” was added and “broker, associate broker or salesperson” was deleted. A discussion was held about the associate broker and broker categories.

Section 2904 – (c) “Licensee” was added “license issued under this chapter” was deleted. “Disciplined” was added and “suspended or revoked nor any civil penalty imposed” was deleted.

Section 2907 – “Require a picture of the applicant” was deleted throughout this Section. (d) “credit requirements” was deleted. “Shall submit verification of its responsibilities of management of the day to day activities of the office” was added.

Section 2912 – (d) “Revocation” was changed to “discipline”.

Section 2914 – (5) “permanently revoke” was added.

Section 2931 – A discussion was held about the 12 point bold faced type font. It was decided to keep the language as it is currently reads.

Section 2932 – (c)(2) – change “1st” to “first”.

Section 2933 – Delete (c)(3).

Section 2934, 2936(a) and 2938(e) – Mr. Taylor will provide revisions to these sections.

Section 2938(d) – Delete.

A discussion was held about auctioneers who hold real estate licenses and that licensees are required to follow the provisions in the statute. A discussion was also held about agents managing their own properties. Mr. Whitfield will delete language that was added early in the meeting.

Mr. White indicated that he has some cease and desist language and additional grounds for discipline language for review. He will provide members with this language.

OTHER BUSINESS BEFORE THE SUBCOMMITTEE (for discussion only)

There was no other business before the Subcommittee.

PUBLIC COMMENT

There was no other public comment at this meeting.

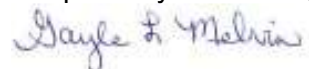
NEXT SCHEDULED MEETING

The next meeting was scheduled for August 19, 2010 at 9:00 a.m.

ADJOURNMENT

A motion was made by Mr. Allamong, seconded by Mr. Staton to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 11:50 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gayle L. Melvin". The signature is written in a cursive, flowing style.

Gayle L. Melvin
Administrative Specialist III